

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

TREXEL, INC.

Plaintiff,

v.

MASTER INDUSTRIES, INC.,

Defendant.

Civil Action No. 05-cv-11599 RCL

LOCAL RULE 16.1 JOINT STATEMENT

Pursuant to Local Rule 16.1(B), counsel for the parties have conferred regarding an agenda of matters to be discussed at the Rule 16 conference, a proposed pretrial schedule for the case that includes a plan for discovery, and consideration of mediation and consent to trial by a magistrate judge.

Counsel have prepared this Joint Statement pursuant to Local Rule 16.1.

I. DISCOVERY

The parties will make their initial disclosures by November 23, 2005.

All discovery (including document production, responses to interrogatories, responses to requests for admission, depositions and expert reports) shall be completed by November 1, 2006. Expert reports shall be due by September 1, 2006. Rebuttal expert reports shall be due by October 2, 2006.

The parties shall be permitted 50 interrogatories. Document requests shall not be limited, either in the total number of requests or the number of sets of requests. Each party shall be permitted a total of 15 depositions, including expert depositions, unless otherwise agreed upon by the parties or authorized by the Court.

II. DISPOSITIVE MOTIONS

Dispositive motions, such as for summary judgment, if any, shall be filed no later than 30 days after the close of discovery.

Oppositions to dispositive motions shall be filed within 21 days after service of summary judgment motions.

Reply briefs in support of dispositive motions shall be permitted and shall be filed within 14 days after service of the aforementioned opposition briefs.

III. CONFIDENTIAL INFORMATION

Counsel will agree upon a Protective Order pursuant to Fed. R. Civ. P. 26(c)(7), which they will submit to the Court for approval prior to the exchange of any confidential documents.

IV. TRIAL BY MAGISTRATE JUDGE

The parties are not prepared to consent to trial by a magistrate judge at this time.

V. SCHEDULE MODIFICATIONS

All dates and other terms set forth herein may be modified by the Court in its discretion, or by written agreement between the parties as approved by the Court, or upon motion to the Court for good cause shown.

Respectfully submitted,

/s/ Adam J. Kessel

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